Claim Objections

Claim 11 and claims 13 – 15 were objected to because of informalities. Claims 11 and 13 are amended to provide the appropriate correction as required. Applicant respectfully asserts that claims 11 and 13 fully comply with § 112. Claim 14 and 15 depend from claim 13 and are believed to be in compliance for the same reasons. Withdrawal of the objection to these claims is respectfully requested.

Claim Rejections – 35 USC § 112

Claim 7 stands rejected under 35 USC § 112, second paragraph. This claim is amended so as to conform it to the interpretation of the claim that was provided in the Office Action. Applicant respectfully asserts that this claim now complies with §112.

Claim Rejections – 35 USC §102(e) and 35 USC §102(b)

Claims 1, 2, 4, and 6 are rejected 35 U.S.C. § 102(e) as being anticipated by U.S. patent no. 6,327,677 (Garg *et al.*). Claims 8 and 10 are rejected under 35 USC § 102(b) as being anticipated by US patent no. 5,193,151 (Jain).

Claim 1 recites the steps of repeatedly reviewing monitoring statistics regarding on-going operation of a file server and processing monitoring statistics using a diagnostic software module, whereby a result of said steps of processing includes a diagnosis of a behavior of the file server and entails cross-layer analysis of said monitoring statistics (emphasis added).

Applicant respectfully asserts that the recited elements are very different from the applied Garg reference. First, Garg involves using historical data associated with the operation of the network environment as represented by recently collected data. Applicant believes that this is very different from the recited claim which involves analyzing "monitoring statistics regarding on-going operation" using "a diagnostic software module". The applied Garg reference is believed to be silent with respect to the use of monitoring statistics regarding the on-going operation of a network or a component of a network. Rather that looking to the "on-going operation", as recited herein, Garg relies upon historical data.

Second, Applicant believes that Garg is also silent as to the use of cross-layer analysis of monitoring statistics as recited in claim 1. Indeed, Garg's system for monitoring a network focuses upon developing a cognitive signature module and comparing data to the cognitive signatures. This reliance upon the cognitive signature module is believed to be very different from the use of "cross-layer analysis of said monitoring statistics" as claimed herein. Cross-layer analysis is discussed at least on page 8, lines 10 – 12, and on page 18, line 10 through page 19, line 21 of the application.

Claims 2 – 7 depend from claim 1 and are believed to be allowable for at least the same reason.

Claims 8 and 10 are rejected under 35 USC § 102(b) as being anticipated by US patent no. 5,193,151 (Jain). Jain describes a packet communication system that employs a

congestion avoidance mechanism. This method measures the round trip delay involved in transmitting packets and increasing or decreasing the load level in response to this delay.

Claim 8 recites steps of (1) selecting a set of parameters for a first communication protocol, attempting to communicate, between a point inside a file server and a point outside said file server; (2) using a second communication protocol, said second communication protocol making use of said first communication protocol; (3) reviewing a result of said steps of attempting to communicate; and (4) altering said set of parameters, in response to a result of said steps of reviewing wherein said steps of reviewing and altering are performed repeatedly so as to try a large number of combinations of protocol parameters in a system of automatic error detection and diagnosis of file servers.

Applicant respectfully asserts that Jain does not disclose or suggest altering said set of parameters, in response to a result of said steps of reviewing wherein said steps of reviewing and altering are performed repeatedly so as to try a large number of combinations of protocol parameters in a system of automatic error detection and diagnosis of file servers. Indeed, Jain discloses something entirely different. Jain discusses a packet communications system. Applicant believes that Jain is completely silent with respect to error detection and diagnosis in a server.

Applicant respectfully asserts that claim 8 is allowable for at least the foregoing reasons; claims 9 – 11 depend from claim 8 and are believed to be allowable over Jain for the same reasons.

Claim Rejections – 35 USC §103(a)

Claim 3 is rejected under 35 USC 103(a) as being unpatentable over Garg in view of Sutton (US 5920719). Claims 5 and 7 are rejected under 35 USC 103(a) as being unpatentable over Garg. Lastly, claims 9 and 11 are rejected under 103 USC 103(a) as being unpatentable over Jain.

With respect to claims 3, 5, and 7, Sutton is not believed to add anything to remedy the foregoing deficiencies of Garg. It follows that without cross-layer analysis of said monitoring statistics as recited in claim 1, neither Garg nor Sutton disclose or suggest the features of these claims.

With regard to claims 9 and 11, it follows that these claims are allowable because Jain does not disclose or suggest trying a large number of combinations of protocol parameters in a system of automatic error detection and diagnosis of file servers, as recited in claim 8.

Request for Allowance

It is believed that this application is in condition for allowance. Reconsideration and early favorable treatment of this application is earnestly solicited. If, in the opinion of the Examiner, an interview would expedite prosecution of this application, the Examiner is invited and requested to call the undersigned agent at the number indicated below.

Respectfully submitted,

11-5-2002
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1. A method, including steps of

repeatedly reviewing monitoring statistics regarding ongoing operation of a file server, said steps of reviewing being performed at least as often as a selected time period;

processing said monitoring statistics using a diagnostic software module, in response to said steps of repeatedly reviewing;

whereby a result of said steps of processing includes a diagnosis of a behavior of said file server and entails cross-layer analysis of said monitoring statistics.

7. A method as in claim 6, wherein said usage profile includes information regarding whether use of said file server includes usage as an ISP, a development environment, or a mail server [or otherwise].

8. A method, including steps of

selecting a set of parameters for a first communication protocol;

attempting to communicate, between a point inside a file server and a point outside said file server, using a second communication protocol, said second communication protocol making use of said first communication protocol;

reviewing a result of said steps of attempting to communicate; and

altering said set of parameters, in response to a result of said steps of reviewing

wherein said steps of reviewing and altering are performed so as to try a large number of combinations of protocol parameters in a system of automatic error detection and diagnosis of file servers.

11. A method as in claim 8, wherein said steps of attempting to communicate are performed using at least one hundred differing configurations of said [sets] set of parameters.

13. A method, including steps of

tracking configuration changes to a file server;

relating changes in known monitoring statistics to timing of said [hardware and software] configuration changes; and

determining, in response to said steps of tracking and of relating, a configuration change most likely to be responsible for an error or other failure in said file server.